

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
No.: 5:15-CV-0066-FDW

MARSHALL LEE BROWN, JR., )  
)  
Plaintiff, )  
)  
v. )  
)  
GEORGE T. SOLOMON, *et. al.*, )  
)  
Defendants. )

**AFFIDAVIT SUPPORTING  
DEFENDANTS' SUMMARY  
JUDGMENT MOTION**  
Rule 56(e), Fed. R. Civ. P.

I, BETTY BROWN, being first duly sworn, hereby deposes and says as follows:

1. I am an adult over the age of eighteen (18) and am competent to provide this Affidavit.

2. I am a named Defendant in this action; and I would like to provide the following information for the Court's consideration. I am presently employed by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice ("NCDPS"), as the Director of Chaplaincy Services. I have held this position since April 2003. I began service with the then-North Carolina Department of Correction, Division of Prisons in January 1997. Between January 1997 and April 2003, I held the position of Clinical Chaplain I at the North Carolina Institution for Women, located in Raleigh, North Carolina.

3. As the Director of Chaplaincy Services my duties and responsibilities include formulating and providing professional supervision of chaplaincy services. I provide guidance and assistance for the religious activities to all the facilities within North Carolina prisons. Annually, countless numbers of worship services, scripture studies, seminars counseling sessions, segregation visits, and special events are conducted by chaplains. I am familiar with multiple

religions and coordinate those practices within NCDPS Policy and Procedures. I communicate with religious judicatory leaders, clinical pastoral care supervisors, theological educators, medical providers, attorneys, prison administrators, legislators, volunteers, inmates, and their families. Along with my staff, I am responsible for coordinating recruitment, screening and selection of state-funded, temporary, community-funded, and volunteer chaplains. The Chaplaincy Services Central office staff provide technical support for the facilities' clinical chaplains or other designated staff.

4. It is my understanding that Plaintiff alleged in his Complaint that up until mid-2014 Jehovah's Witness inmates were provided separate faith services that included classes once a week on Sundays in the Chapel library, a special annual celebration of Christ's death on 14 April 2014, and a religious faith worship service and lecture on 6 April 2014. Allegedly Defendant Redding refused to reinstate the separate services. The Plaintiff is requesting that Jehovah's Witness be considered separate and apart from the Christian/Protestant Religions since they do not believe in the holy trinity among other things.

5. NCDPS provides written guidance to NCDPS administrators, chaplains, and other appropriate staff concerning religious practices and religious paraphernalia. NCDPS's Religious Practices Resource Guide and Reference Manual ("Manual") written and published by the Division of Prisons Religious Practices Committee includes a list of faith practices that are officially recognized by NCDPS. This Manual also includes a brief description of the basic beliefs, authorized practices, worship procedures, and authorized religious items associated with each faith group. NCDPS recognizes the Christian faith as an approved religion. The part of the Manual under Faith Groups includes a section for the Christian faith that provides guidance on its basic beliefs, authorized practices, and approved religious property. Jehovah's Witness is included as a

denomination or sect of the Christian faith. A copy of the section of the Manual related to the Christian Faith is attached as Exhibit B to the Affidavit of Defendant Redding.

6. In writing the policies Chaplaincy Services consider similarities and positivity and hope the differences lead to ultimately teaching similar ideas. While not all religions are the same they attempt to answer similar questions about how to live life, communicate with the divine or sacred, and behave in harmony with nature and others. Religions offer similar principles and tools for living.

7, The Manual correctly categorizes Jehovah's Witnesses as a Christian-Protestant sect. Jehovah's Witnesses is a restorationist, chiliastic Christian Protestant religion. Jehovah's Witnesses consider the Bible to be the ultimate authority for their teachings and practices. Protestant Christian believe the Bible to be the Ultimate authority of their teachings and practices. The interpretation of this statement will vary from sects and denominations.

8. Charles Taze Russell, or Pastor Russell, was an American Christian restorationist minister from Pittsburgh, Pennsylvania, and founder of what is now known as the Bible Student movement (later named Jehovah's Witnesses) from his experiences as a member of Christian Protestant churches (Presbyterianism and Congregationalism).

9. The entire Protestant canon of scripture is considered the inspired, correct word of God. The Witnesses accept the Bible as scientifically and historically accurate and reliable, and interpret much of it literally, while also accepting it is abundant in symbolism. The Jehovah's Witnesses produced an edition of the Bible, the New World Translation of the Holy Scriptures, though the identity of the translators has remained anonymous. Jehovah's Witnesses claim to use the Bible as the basis for all their beliefs, although studies of the religion show that the traditional teachings of Russell, as well as the pronouncements of the Governing Body, through Watch Tower

publications, carry at least as much weight as the Bible, if not more. The leadership of Jehovah's Witnesses claims to be the single visible channel of Jehovah and asserts that the Bible cannot be understood without its assistance.

10. While Plaintiff is correct to state that the Jehovah's Witnesses do not believe in the holy trinity doctrine, in the same manner as some Christian denominations or sects. The Jehovah's Witnesses is a Christian organization with nontraditional beliefs and practices. Each individual prison facility such as Alexander does not have the time nor space to offer a service for every Protestant denomination or sect. There are other Christian groups that have nontraditional beliefs and practices, such as snake handling and partaking of the blood of Christ that due to this limitation of time and space are provided weekly services through each facilities non-denominational Christian service.

11. I have made every reasonable effort to accommodate Plaintiff's requests related to the practice of his faith in compliance with NCDPS's Religious Practices Resource Guide and Reference Manual. I deny that in performing my duties as the Director of Chaplaincy Services for NCDPS, I violated any rights secured to Plaintiff under the laws of the State of North Carolina or the Constitution and laws of the United States.

**THIS SPACE INTENTIONALLY LEFT BLANK**

**[SIGNATURE ON NEXT PAGE]**

This the 29 day of October, 2018.

Betty A. Brown  
BETTY BROWN, AFFIANT

Sworn to and subscribed before me this

the 29 day of October, 2018.

NOTARY PUBLIC

Jennifer N. Johnson

My commission expires: 1-25-20.

Jennifer N. Johnson  
NOTARY PUBLIC  
Johnston County  
North Carolina  
My Commission Expires: January 25, 2020